

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

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Plaintiff,

v.

CASE NO. 87-cr-40070-JPG

BENJAMIN KRAMER,

Defendant.

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of defendant Benjamin Kramer for a free copy of the docket sheet in this case (Doc. 1049). He claims to need the docket sheet to identify documents necessary to prepare a collateral attack on his conviction.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for use in some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Kramer has satisfied none of these requirements. In particular, Kramer has not demonstrated that the Court of Appeals for the Seventh Circuit has authorized him to file a successive motion under 28 U.S.C. § 2255. *See Curry v. United States*, 507 F.3d 603, 604 (7th Cir. 2007); *Nunez v. United States*, 96 F.3d 990, 991 (7th Cir. 1996). Accordingly, the Court **DENIES** the motion (Doc. 1049) **without prejudice**. The Court reminds Kramer that he may obtain a copy of his docket sheet from the Clerk's Office at a cost of 50 cents per page.

IT IS SO ORDERED.

Dated: August 8, 2013

s/ J. Phil Gilbert
J. PHIL GILBERT
United States District Judge